

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

MICHAEL EUGENE JAMES, M.D.

Holder of License No. **24537**
For the Practice of Allopathic Medicine

In the State of Arizona.

Case No: MD-14-1276A

**INTERIM FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER
FOR SUMMARY SUSPENSION OF
LICENSE**

INTRODUCTION

The above-captioned matter came on for discussion before the Arizona Medical Board ("Board") at its Summary Action meeting on October 1, 2014. After reviewing relevant information and deliberating, the Board voted to consider proceedings for a summary action against Michael Eugene James, M.D. ("Respondent"). Having considered the information in the matter and being fully advised, the Board enters the following Interim Findings of Fact, Conclusions of Law and Order for Summary Suspension of License, pending formal hearing or other Board action. A.R.S. § 32-1451(D).

INTERIM FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.
2. Respondent is the holder of License No. 24537 for the practice of allopathic medicine in the State of Arizona.
3. The Board initiated case number MD-14-1276A after receiving a report from the Board's Physician Health Program ("PHP") contractor that Respondent underwent an assessment on September 9, 2014 and was found unsafe to practice.
4. Respondent self-reported a history of daily drinking over 10 years and also reported that he had underwent a recent assessment at Concentra to address concerns stemming from tremors and confusion. The physician performing the assessment

1 recommended a neurologic consultation due to other health concerns. Respondent
2 reported to the PHP contractor that he had not worked since approximately mid-August.

3 5. The PHP contractor further reported that Respondent showed up five hours
4 early for his assessment, and after being advised of the scheduled time, left and returned
5 three hours before the time scheduled for the assessment, disheveled and with a
6 detectible odor of alcohol on his breath. Respondent admitted to consuming vodka and
7 beer in between his initial presentation and return to the PHP contractor's office.

8 6. The PHP contractor opined that Respondent was alcohol dependent and
9 unsafe to practice and in need of residential treatment. Respondent agreed to the
10 diagnosis and need for treatment.

11 7. Although several attempts have been made, Board staff has been unable to
12 contact Respondent since his PHP assessment.

13 **INTERIM CONCLUSIONS OF LAW**

14 1. The Board possesses jurisdiction over the subject matter hereof and over
15 Respondent, holder of License No. 24537 for the practice of allopathic medicine in the
16 State of Arizona.

17 2. The conduct and circumstances described above constitute unprofessional
18 conduct pursuant to A.R.S. § 32-1401(27)(f) ([“h]abitual intemperance in the use of
19 alcohol or habitual substance abuse.”)

20 3. Based on the foregoing Interim Findings of Fact and Conclusions of Law,
21 the public health, safety or welfare imperatively requires emergency action. A.R.S. § 32-
22 1451(D).

23 24 **ORDER**

25 Based on the foregoing Interim Findings of Fact and Conclusions of Law, set forth
above,

1 IT IS HEREBY ORDERED THAT:

2 1. Respondent's license to practice allopathic medicine in the State of Arizona,
3 License No. 24537, is summarily suspended. Respondent is prohibited from practicing
4 medicine in the State of Arizona and is prohibited from prescribing any form of treatment
5 including prescription medications or injections of any kind.

6 2. The Interim Findings of Fact and Conclusions of Law constitute written notice
7 to Respondent of the charges of unprofessional conduct made by the Board against him.
8 Respondent is entitled to a formal hearing to defend these charges as expeditiously as
9 possible after the issuance of this order.

10 3. The Board's Executive Director is instructed to refer this matter to the Office
11 of Administrative Hearings for scheduling of an administrative hearing to be commenced
12 as expeditiously as possible from the date of the issuance of this order, unless stipulated
13 and agreed otherwise by Respondent.

14 DATED this 3rd day of October, 2014.

15 ARIZONA MEDICAL BOARD

16 By: Patricia McSorley
17 Patricia McSorley
18 Interim Acting Executive Director

19 ORIGINAL of the foregoing filed this
20 3rd day of October, 2014, with:

21 Arizona Medical Board
22 9545 East Doubletree Ranch Road
23 Scottsdale, Arizona 85258

24 Executed copy of the foregoing mailed by Certified
25 Mail this 3rd day of October, 2014, to:

Michael Eugene James, M.D.
Address of Record

1 Anne Froedge
2 Assistant Attorney General
3 1275 West Washington, CIV/LES
4 Phoenix, AZ 85007

5 Mary Butler
6 Arizona Medical Board Staff
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